

1150 North First Street, Suite 101
San Jose, CA 95112

March 11, 2011

EMAIL and HAND DELIVERY

Alex Gurza, Director
CITY OF SAN JOSE
Office of Employee Relations
200 East Santa Clara Street
San Jose, CA 95113

Re: MEF & CEO Employee Compensation

Dear Alex,

I am in receipt of your correspondence dated March 10, 2011. Thank you for your prompt response to my March 6, 2011 letter. However, I am now requesting clarification pertaining to the information you provided therein.

Thank you for noting that the employee listed in the table "Top Ten Earners Represented by CEO for Calendar Year 2010" with a base salary of \$96,082 was transferred from another bargaining unit. Please confirm that this employee was transferred to an Analyst II position in the CEO bargaining unit effective November 14, 2010. If this date is incorrect, please provide me with the correct effective date of the employee's transfer into the CEO bargaining unit.

In response to my inquiry regarding the Administrative Assistant, you noted that the employee works in the City Manager's Office. Please confirm that this employee was temporarily assigned to a higher classification pursuant to a request from the City Manager's Office during the 2010 calendar year. If this employee has been assigned to a higher classification which is not part of CEO's bargaining unit, then I believe it is disingenuous to include her as "Top Ten Earner Represented by CEO", since she is actually assigned to a position represented by a different bargaining unit.

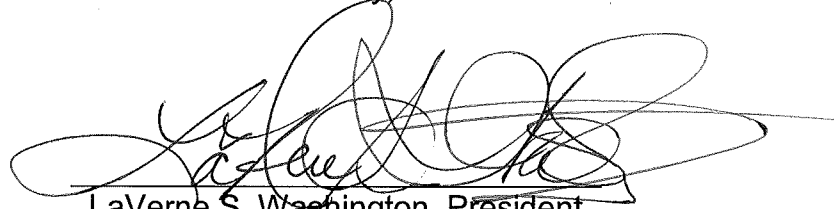
As a result of the issues above, I do not believe the table you submitted entitled "Top Ten Earners Represented by CEO for Calendar Year 2010" is accurate. Thus, I am requesting you provide in the same table format the "Top Ten Earners Represented by CEO" for the entire 2010 calendar year who were not working at any time during the 2010 calendar year in a higher classification.

I also want to thank you for expeditiously preparing a chart of the "Lowest Ten Earners Represented by CEO for Calendar Year 2010". However, a quick review of the Employee Compensation information posted by the City on it's website indicated that the chart you provided to me is erroneous at best. Pursuant to the information provided by the City on it's website, the lowest earner in CEO is an Office Specialist with a base salary and total compensation of \$49,351. The remaining nine (9) lowest earners pursuant to the City's website have total compensations between \$58,474 and \$49,874. *As such, I request that you review your information and provide a corrected and accurate chart to me of the "Lowest Ten Earners Represented by CEO for Calendar Year 2010" as soon as possible.*

While I appreciate prompt responses to CEO correspondence and information requests, I prefer correct and accurate information. Please do not hesitate to contact me in the future if you are unable to respond promptly and require further time to provide accurate, correct and responsive information.

Thank you for your assistance with this request. I look forward to your corrections and prompt response.

Sincerely,

A handwritten signature in black ink, appearing to read 'LaVerne S. Washington', with a large, stylized flourish extending to the right.

LaVerne S. Washington, President
AFSCME
Confidential Employees' Organization

cc: Charles Allen, AFSCME